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MOBILE HOME

ORDINANCE

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Chatham County, North Carolina

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This document sets forth procedures, standards and required improvements for the placement of mobile homes and mobile home parks in Chatham County outside municipal limits. The procedures and standards vary depending on the scope of the project proposed. The Ordinance sets forth a procedure for reviewing variances from the regulations and for accepting financial grarantees in lieu of improvements for plan acceptance.

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CHATHAM COUNTY

MOBILE HOME ORDINANCE

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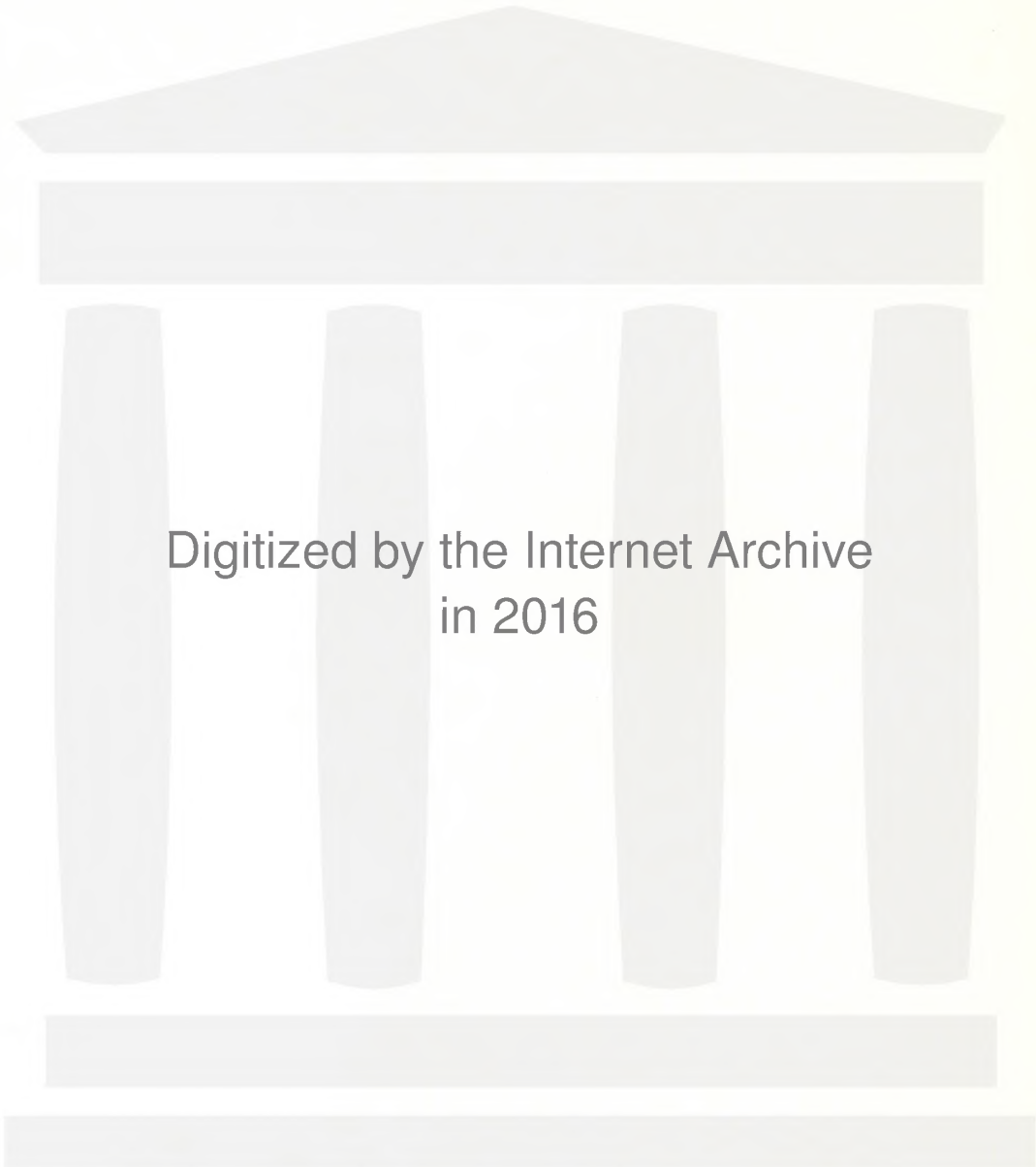
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Section 1. General Provisions

1.1 Title

This document shall be known; cited and referred to as the Chatham County Mobile Home Ordinance.

1.2 Authority

By the authority of Chapter 153A-121 of the General Statutes of North Carolina the Chatham County Board of Commissioners does hereby exercise the powers and authority to regulate mobile homes within its territorial jurisdiction.

1.3 Purpose

This ordinance is adopted for the following purposes:

A. To provide for the orderly growth and efficient development of the county with respect to the placement of mobile homes on property which is not being divided into individual lots for sale or building development.

B. To provide for and protect the public health, safety and general welfare of Chatham County.

C. To provide for the coordination of streets in mobile home parks with existing and/or planned streets.

D. To insure an adequately planned street system and to avoid sharp curves, steep grades and hazardous intersections.

E. To provide for safe and adequate water and sewer systems, parks and playgrounds.

F. To provide for the dedication of rights-of-way for streets and utilities.

G. To insure against flood damage.

H. To facilitate an orderly system for the design and use of land for mobile homes.

I. To avoid overcrowding of the land and extreme concentration of the population.

J. To set forth the standards and procedures for the use of land for mobile homes in Chatham County.

1.4 Jurisdiction

A. This document shall govern the use of land for the placement of a mobile home, as herein defined, lying within

Chatham County and outside the extraterritorial jurisdiction of any incorporated municipality. This document may also regulate the use of land for mobile homes within the jurisdiction of any municipality as provided in Chapter 153A-122.

B. This document shall not regulate the use of land for the placement of mobile homes if said use is governed by the Chatham County Subdivision Regulations except as expressly stated herein.

1.5 Enactment

In order that land may be used in accordance with these purposes and policy this Mobile Home Ordinance is hereby adopted.

1.6 Interpretation

The parts and provisions of this document in their interpretation and application, shall be considered to be the minimum requirements for the promotion of the public health, safety and general welfare.

1.7 Conflict with Public Provisions

This document is not intended to interfere with, annul or abrogate any other ordinance, rule or regulation, statute or other provision of law applicable to Chatham County. Where any provision of this document imposes limitations different from those imposed by any other provision of this document or any other ordinance, rule or regulation, or other provision or law, whichever provisions are more restrictive or impose higher standards shall control.

1.8 Conflict with Private Provisions

This document is not intended to abrogate any easement, covenant, or any other private agreement or restriction, provided that where the provisions of this document are more restrictive or impose higher standards or regulations than such easement, covenant, or other private agreement or restriction, the requirements of this document shall govern. Where the private provisions impose more restrictive or higher standards than this document then such private provisions shall be operative and supplemental to these regulations.

1.9 Separability

If any part or provision of these regulations or application thereof to any person or circumstances is held invalid by any court of competent jurisdiction, such judgement shall be confined in its operation to the part, provision or application

directly involved in all controversy in which such judgement shall have been rendered. Such judgement shall not affect or impair the validity of the remainder of this document even without any such part, provision or application.

1.10 Saving Provision

These regulations shall not be interpreted as applying to any existing mobile homes or the use of land for mobile homes except as expressly stated herein.

1.11 Amendments

For the purpose of providing for the public health, safety, and general welfare, the Chatham County Board of Commissioners may amend, when deemed necessary, the provisions imposed by this ordinance. Public hearings on all proposed amendments shall be held in the manner prescribed by Chapter 153A-323 of the General Statutes of North Carolina.

1.12 Variances

A. General. Where the Planning Board finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purposes of this Ordinance may be served to a greater extent by an alternative proposal, it may approve variances to this ordinance so that substantial justice may be done and the public interest secured, provided that such variance shall not have the effect of nullifying the intent and purpose of these regulations; and further provided the Planning Board shall not approve variances unless it shall make findings based upon the evidence presented to it in each specific case that:

(1) The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property.

(2) The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.

(3) Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations are carried out.

B. Conditions. In approving variances, the Planning Board may require such conditions as will, in its judgement,

secure substantially the objectives of the standards or requirements of these regulations.

C. Procedures. A petition for any such variance shall be submitted in writing by the **owner** at the time when the mobile home plan is filed for the consideration of the Planning Board. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner.

1.13 Prohibited Acts, Enforcement, and Penalties

A. It shall be illegal for any person to use their land for the placement of a mobile home, as herein defined, in the area herein described without following the procedures and meeting the regulations specified herein.

B. The County Planner or other authorized county personnel are responsible for enforcing this ordinance and shall bring to the attention of the Planning Board and the County Board of Commissioners any violation or lack of compliance.

C. Each day's continuing violation of this ordinance shall be considered a separate and distinct offense and penalties shall be assessed in such a manner.

D. Any person who violates the provisions of this ordinance shall be subject upon conviction to the penalty provisions of General Statutes Chapter 14-4 and other penalties or actions or remedy as provided for in General Statutes Chapter 153A-123.

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SECTION 2. DEFINITIONS

2.1 Meaning of Words Generally

Words and terms used in this document have their commonly accepted, dictionary meaning unless specifically defined or the context in which they are used in this document clearly indicates otherwise.

2.2 Meaning of Common Words

All words used in present tense include future tense.

All words used in the plural include the singular, and all words used in the singular include the plural.

All words used in the masculine gender include the feminine gender.

The word "shall" is mandatory, and the word "may" is permissive.

The word "building" includes the "structure and any part thereof."

The word "lot" includes the words "plot", "parcel", and "tract".

The word "person" includes the words "association", "company", "corporation", "firm", "individual", organization" and "partnership".

2.3 Meaning of Specific Words and Terms

Adjacent - Having a common border such as a lot line or street right of way.

Applicant - The owner of land proposed to be used for a mobile home or his representative. Consent shall be required from the legal owner of the premises prior to the Planning Board granting final approval of a mobile home park plan.

Architect - A person certified and currently licensed to practice architecture in North Carolina. This includes landscape architects.

Board - The Chatham County Planning Board.

Board of Commissioners - The Chatham County Board of Commissioners.

Bond - Any form of security including a cash deposit, surety bond, collateral, property, or instrument of credit in an amount and form satisfactory to the Planning Board. All bonds shall be approved by the County Attorney wherever a bond is required by these regulations.

Building - Any structure built or placed for the support, shelter, or enclosure of persons, animals, immovable, or moveable property of any kind, including any structure.

Building Setback Line - A line in the interior of a lot which is generally parallel to, and a specified distance from, the street right-of-way line or other lines; which creates a space between such lines in which no building shall be placed.

Community Water System - A private water company formed by a developer to serve a development in an outlying area.

Community Sewerage System - A community sewer system including collection and treatment facilities established by a developer to serve a development in an outlying area.

County - Chatham County, North Carolina or the governing body of.

County Attorney - Person so disignated by the Chatham County Board of Commissioners.

Cul-de-sac -A street with only one outlet and having an appropriate permanent terminal for the safe and convenient reversal of traffic movement. Length is measured from the center point of the turn around to the center line of the adjoining street.

Dedication - The object or the act of an owner offering property or property rights to the public. Since a transfer of property rights is involved, dedications must be made by written recordable instruments.

Developer - The owner of land proposed to be used for a mobile home or his representative. Consent shall be required from the legal owner of the premises.

District Division of Highways - The Division of Highways of the North Carolina Department of Transportation both agency and persons.

Easement - The right to use another person's property, but only for a limited and specifically named purpose, the owner generally continues to make use of such land since he has given up only certain, and not all, ownership rights.

Enforcement Officer - The person designated by the Chatham County Board of Commissioners to enforce the provisions of this Ordinance.

Flood Hazard Area - The minimum area of the flood plain that, on the average, is likely to be flooded once every one

hundred years (i.e., that has a one percent chance of being flooded each year) as identified by the Federal Insurance Administration on Flood Hazard Boundary Maps of Chatham County dated May 19, 1978.

Grade - The slope of a road, street, etc., specified in percentage (%) terms.

Health Department - The agency and person designated to administer the local health regulations. The Chatham, Lee, Person, Caswell District Health Department.

Individual Sewage Treatment Facility - A sewage disposal system developed to function on an individual lot basis. A septic tank, seepage tile sewage disposal system, or any other approved sewage treatment device.

Lot Area - The total horizontal area included within lot lines.

Lot Area (Useable) - Lot area suitable for septic fields. This area does not include areas such as rights-of-way or land deemed unsuitable for development as specified in these regulations, such as land within the water hazard area or floodway.

Lot Improvement - Physical changes made to raw land and structures on or under the land surface in order to make the land more useable for man's activities. Typical improvements in these regulations would include but not be limited to grading, street pavement, drainage ditches, and street name signs. Certain lot improvements shall be properly bonded as provided in these regulations.

Mobile Home - A residential dwelling unit, designed for transportation after fabrication on its own wheels or on flatbeds, or other trailers, and arriving at the site where it is to be occupied as a dwelling unit complete and ready for occupancy except for minor and incidental unpacking and assembly operations; including but not limited to, location on jacks or other temporary or permanent foundation, and connection to utilities. Travel trailers and campers shall not be considered mobile homes.

Mobile Home Lot - Any parcel of ground **designated for the accomodation of one mobile home.**

Mobile Home Park - Any plot of ground, usually under single ownership, which has been planned and/or improved for the placement of more than two mobile homes for dwelling and/or sleeping purposes.

Mobile Home Park Plan- A plan of a proposed mobile home park as specified in these regulations.

Monuments - Markers placed on or in the land. Metal pins not less than three-fourths (3/4) inches in diameter and 18 inches long or concrete monuments 4 inches in diameter or square and three (3) feet long.

Official Submission Date - This shall be considered the date of the Board meeting at which a mobile home park plan is considered for approval. This is not the date upon which the plan is submitted to the Planning Board staff for review.

Open Space - An area of land and/or water generally lacking in manmade structures and reserved for enjoyment in its unaltered state, or for recreation.

Owner - Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be developed under these regulations.

Park Plan - Mobile home park plan.

Percolation Test - An examination of subsoil used in determining the acceptability of the site and the design of the subsurface disposal field. The procedure of administering the test is set forth in Section 1921 of the North Carolina Administrative Code, Title 10 Department of Human Resources, Chapter 10 Health Services; Sanitary Engineering Subchapter 10A, Sanitation.

Planning Board - The Chatham County Planning Board.

Private Street - An undedicated private right-of-way which affords access to abutting properties or lots according to the standards of this ordinance and requires a street disclosure statement in accordance with the North Carolina General Statutes.

Public Street - A dedicated and accepted public right-of-way which affords access to abutting property and meets the standards of this ordinance and the most recent North Carolina Department of Transportation minimum construction standards for subdivision roads.

Public Utility - Any person, firm, corporation, municipal department or board authorized to furnish, under state or municipal regulations, electricity, gas, steam, communications, telegraph, transportation, water or sewer to the public.

Recreation Area or Park - An area of land and/or water resources that is developed for active and/or passive recreation pursuants with various manmade features that accommodates such activities.

Register of Deeds - Chatham County Register of Deeds.

Rental Mobile Home - Mobile homes that are available on a rental or lease basis.

Right-of-Way - A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, or for another special use. The usage of the term "right-of-way" for land platting purposes shall mean that every public right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Rights-of-way intended for streets, crosswalks, water mains, sanitary sewers, storm drains, or any other use involving maintenance by a public agency shall be dedicated to public use by the owner of the property on which such right-of-way is established.

Road Right-of-way Width - The distance between property lines measured at right angles to the centerline of the street.

Setbacks - The distance between a building and the street line or property line nearest thereto.

Staff - The professional assistants to the Chatham County Planning Board.

Street Line - The legal line between street right-of-way and abutting property.

Subdivision - A subdivision means all division of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose of sale or building development (whether immediate or future) and includes all division of land involving the dedication of a new street or a change in existing street; however, the following is not included within this definition and is not subject to any regulations enacted pursuant to this document:

1. The combination or recombination of portions of previously platted lots of the total number of lots

is not increased and the resultant lots are equal to or exceed the standards of the county as shown in its subdivision regulations;

2. The division of land into parcels greater than ten (10) acres if no street right-of-way dedication is involved.

3. The public acquisition by purchase of strips of land for widening or opening streets; and

4. The division of a tract in single ownership the entire area of which is not greater than two acres into not more than three lots, if no street right-of-way dedication is involved and if the resultant lots are equal to or exceed the standards of the county as shown by its subdivision regulations.

5. A conveyance made for the purpose of dividing up the estate of a decedent among his heirs and devisees.

Surveyor - A qualified land surveyor or engineer registered and currently licensed to practice surveying in the State of North Carolina.

Unit or Dwelling Unit - A building or portion thereof designed, arranged or used for living quarters for one family.

Useable Land - See Lot Area (Useable).

Water Hazard Area - The area adjacent to continuously flowing waterways which due to its proximity to the waterway, soils and/or other topographic information is deemed not suitable for residential structures or septic fields due to potential water pollution.

SECTION 3. ASSURANCE FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS

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SECTION 3. ASSURANCE FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS

3.1 Improvements and Performance Bond

A. Completion of Improvements

Before the mobile home park plan is signed by the Chairman of the Planning Board, all applicants shall be required to complete, in accordance with the Planning Board's decision, all the street, sanitary, and other improvements on the individual lots of the mobile home park as required in these regulations, specified in the final mobile home park plan, and as approved by the Planning Board, and to dedicate same when appropriate to the appropriate government body, free and clear of all liens and encumbrances on the property and public improvements thus dedicated.

B. Performance Bond

(1) When fifty (50) percent of the total cost of improvements have been completed and when the public health and/or safety will not be endangered the Planning Board may waive the requirement that the applicant complete all public improvements prior to the signing of the mobile home park plan and that, as an alternative, the applicant post a performance bond, including labor and material payments, at the time of application for final park approval in an amount estimated by a registered licensed architect, engineer, or practicing contractor, hired by the developer, as sufficient to secure to the County the satisfactory construction, installation, and dedication of the incompleted portion of required improvements. The performance bond shall also secure all lot improvements on the individual lots of the park as required in these regulations.

(2) Such performance bond shall comply with all statutory requirements and shall be satisfactory to the County Attorney as to form, sufficiency (i.e., inflation or rising construction costs shall be taken into account of bond amount), and manner of execution as set forth in these regulations. A copy of the power of attorney for the countersigning agent shall be attached. The period within which required improvements must be completed shall be specified by the Planning Board in the resolution approving the final park plan and shall be incorporated in the bond and shall not in any event exceed two (2) years from date of final approval. Such bond shall be approved by the Planning Board as to amount and surety and conditions satisfactory to the Planning Board.

The Planning Board may, upon proof of difficulty, grant extension of completion date set forth in such bond for a maximum period of one (1) additional year. The Planning Board may at any time during the period of such bond accept a substitution of principal or sureties on the bond.

C. Temporary Improvement

The applicant shall build and pay for all costs of temporary improvements required by the Planning Board and shall maintain same for the period specified by the Planning Board. Prior to construction of any temporary facility or improvement, the developer may be required to file with the Planning Board a separate suitable bond for temporary facilities, which bond shall insure that the temporary facilities will be properly constructed, maintained and removed.

D. Costs of Improvements

All required improvements shall be made by the applicant, at his expense, without reimbursement by the local government.

E. Failure to Complete Improvement.

In those cases where a performance bond has been posted and required improvements have not been installed within the terms of such performance bond, the Planning Board thereupon shall declare the bond to be in default and require that all the improvements be installed regardless of the extent of the building development at the time the bond is declared to be in default. The Planning Board may take such actions necessary to collect on the defaulted bond or other form of security and provide for the completion of the required improvements.

F. Acceptance of Dedication Offers

Acceptance of formal offers of dedication of public areas, easements, and parks shall be by resolution of the Chatham County Board of Commissioners. The approval by the Planning Board of a park plan shall not be deemed to constitute or imply the acceptance by the County of any easement, or park shown on said plan.

3.2 Inspection Of Improvements

A. General Procedure

The Planning Board and other reviewing agencies may provide for inspection of required improvements during construction and insure their satisfactory completion. If the reviewing agencies find upon inspection that any on the required improvements have not been constructed in accordance with the Planning Board's or other agencies involved construction standards and specifications, the applicant shall be reasponsible for completing the improvements. Wherever the cost of improvements is covered by a performance bond, the applicant and the bonding company shall be severally and jointly liable for completing the improvements according to specifications.

B. Release or Reduction of Performance Bond

(1) Certificate of Satisfactory Completion

The governing body or other appropriate agency will not accept dedication of required improvements, nor the Planning Board release nor reduce a performance bond, until the District Engineer of the Division of Highways or other appropriate authority has submitted a certificate stating that all required improvements have been satisfactorily completed or until the applicant's engineer, architect, surveyor, or contractor has certified to the District Engineer, or other appropriate authority that the layout of the line and grade of improvements is in accordance with construction plans for the mobile home park. Upon such approval and recommendation, the governing body or other appropriate agency may thereafter accept the improvements for dedication in accordance with the established procedure and release the performance bond.

(2) Reduction of Performance Bond

A performance bond may be reduced upon actual completion of improvements and then only to the ratio that the improvements completed bears to the total improvements for the plan. In no event shall a performance bond be reduced below twenty-five (25) percent of the principal amount.

3.3 Deferral or Waiver of Required Improvements

A. Conditions

The Planning Board may defer or waive at the time of final approval, subject to appropriate conditions, the provision of any or all such improvements as, in its judgement, are not requisite in the interests of the public health, safety, and general welfare, or which are inappropriate because of inadequacy or lack of connecting facilities.

B. Payment in Lieu of Improvements

Whenever it is deemed necessary by the Planning Board to defer the construction of any improvement required herein because of incompatible grades, future planning, inadequate or lack of connecting facilities, or for other reasons, the applicant may be required to pay his share of the costs of the future improvements to the County prior to signing of the final park plan, or the applicant may post a bond insuring completion of said improvements upon demand of the County.

3.4 Other Methods of Assurance for Completion and Maintenance of Improvements.

In lieu of a bond, the Planning Board may accept alternative methods of assurance which are adequate to insure completion and maintenance of improvements. Some of the methods which may be considered for acceptance are cashiers check, certified check, money in escrow, and irrevocable letter of credit. The exact terms of these alternatives shall be satisfactory to the County Attorney and Planning Board. These alternatives shall be written so that they are collectable upon presentation with a letter from the Chatham County Planning Board verifying that the proposed improvements are not completed as scheduled.

SECTION 4. MOBILE HOME PLAN APPLICATION PROCEDURE AND APPROVAL PROCESS

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SECTION 4. MOBILE HOME PLAN APPLICATION PROCEDURE AND APPROVAL PROCESS

4.1 General Purpose

The purpose of this section is to establish the step-by-step procedure which shall be followed by the owner in submitting plans to the enforcement officer, Planning Board and other agencies. The review process a mobile home plan follows depends on the number of lots and mobile homes involved. The more involved plans recieve a more involved review.

4.2 Categories of Mobile Home Plans

A. Two Dwelling Units

This category consists of situations where two detached principal residential units are proposed to be situated on one parcel of land and one or both of the units are mobile homes.

B. More than two dwelling units but less than ten mobile homes

This category exists where more than two dwelling units but less than ten mobile homes are proposed to be situated on one parcel of land and no new roads are proposed.

C. Ten mobile homes or more and/or new roads.

Mobile home parks shall be considered in this category anytime ten or more mobile homes are proposed or new roads are planned.

4.3 Procedures for Review of Categories of Mobile Home Plans

A. Two Dwelling Units

(1) The owner shall submit two copies of the information specified in Section 5.1 to the Enforcement Officer.

(2) A letter of approval or signature of approval from the Health Department concerning the suitability of the soil for subsurface sewerage disposal systems shall also be submitted with the plan.

(3) From the date the plan is submitted, the enforcement officer has ten (10) working days to approve or disapprove the plan or the plan shall be considered approved.

(4) The decision of the enforcement officer may be appealled to the Planning Board and shall follow the procedure below.

(5) The decision of the enforcement officer to dissapprove a plan and the reasons for such action shall be mailed to the owner within five (5) days of the decision.

6. All records and plans whether approved or disapproved shall be kept on record in the Enforcement Officer's files.

B. More than two dwelling units but less than ten mobile homes

(1) The owner shall submit fifteen (15) copies of the information specified in Section 5.2 to the enforcement officer no less than twelve days prior to the Planning Board meeting at which the plan is to be considered for approval.

(2) A letter of approval or signature of approval from the Health Department concerning the suitability of the soil for subsurface sewerage disposal systems shall also be submitted with the plan. The Planning Board shall not approve any lots which are disapproved by the Health Department.

(3) The Planning Board staff shall give notice by regular mail of the time and place of the plan review by the Planning Board. Said notice shall be mailed ten (10) days prior to the date specified thereon and shall be mailed to the address of the owner and adjacent property owners as specified on the plan.

(4) Within sixty (60) days after the official submission date of the plan, the Planning Board will review it and indicate its approval, disapproval or conditional approval. Grounds for disapproval or conditional approval shall be stated upon the records of the Planning Board. Failure of the Planning Board to act on the plan within this sixty (60) day period shall be deemed approval of the plan.

(5) The decisions of the Planning Board may be appealled to the Board of County Commissioners and then to the courts.

(6) Following approval of the plan, two approved copies of the plan signed by the Planning Board Chairman shall be recorded in the enforcement officer's files along with other appropriate records.

C. Ten mobile homes or more and/or new roads

Mobile home park plans in this category shall follow a basic 3 step review process. First, the plan shall be reviewed by the Planning Board as described in Section 4.3B above. If approved, the plan is then reviewed by the Board of Commissioners. Then if the plan is acceptable to the Commissioners, improvements shall be installed. After the improvements are completed or a financial guarantee is provided as specified in Section 3, the plan is again reviewed for approval by the Planning Board. Then two copies of the approved plan are recorded in the Enforcment Officer's files. The exact

procedure is listed below.

1. Since this category of mobile home park plan involves several lots and/or new roads several other agencies are involved in the review process. The Health Department shall review and comment on the plans. The Planning Board shall not approve any lots which are not approved by the Health Department.

2. When new roads are involved, the appropriate plans shall be submitted by the owner to the District Engineer of the Division of Highways, The Land Quality Section of the Department of Natural Resources and Community Development and/or the local District Conservationist of the United States Soil Conservation Service. Such plans shall be submitted not less than thirty (30) days prior to the submittal to the Enforcement Officer specified in Section 4.3 B (1). These agencies shall review and comment on the plans concerning their area of interest.

3. Following the review period of other agencies the Planning Board shall review the plans according to the appropriate procedures specified in Section 4.3 B.

4. If the Planning Board approves the plans, they shall be submitted to the Board of Commissioners during their next regular meeting. Within sixty (60) days after the official submission date of the plan to the Board of Commissioners, they shall indicate in their minutes their approval, disapproval or approval subject to modifications. Failure of the Board of Commissioners to act on the plan within this sixty (60) day period shall be deemed approval. The reasons for disapproval or approval subject to modifications shall be specified in the minutes of the meeting.

5. Plan approval by the Board of Commissioners shall be valid for a period of twelve (12) months from the date given. During this time period, the owner shall install all required improvements and request a final plan approval from the Planning Board verifying that the improvements are installed as planned. If the Planning Board approves the final plan, two approved copies signed by the Planning Board Chairman shall be recorded in the Enforcement Officer's files.

6. If the developer is unable to complete the required improvements within the specified time, he may present in writing to the Planning Board a request for an extension of time setting forth the reasons for the extension. The owner shall submit his request two regularly scheduled Planning Board meetings prior to the date the plan approval expires and no less than thirty (30) days prior to the expiration date. In the event such an extension is granted, the Planning Board shall state the time limit of the extension which shall be recorded in the minutes of the Planning Board.

7. The decisions of the Planning Board may be appealled to the Board of County Commissioners and then to the courts.

SECTION 5. SPECIFICATIONS FOR DOCUMENTS TO BE SUBMITTED

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SECTION 5. SPECIFICATIONS FOR DOCUMENTS TO BE SUBMITTED

5.1 Two Dwelling Units

Anytime two detached principal residential units are proposed to be situated on one parcel of land and one or both of the units are mobile homes, the following information shall be submitted to the enforcement officer and approved by the same prior to placement of the mobile home on the parcel. The information shown on the plan shall be to an approximate convenient scale of not more than two hundred (200) feet to an inch when practical. The plan is not required to be drawn by a registered surveyor or engineer, but may be drawn by the applicant or enforcement officer with direction from the applicant.

A. Ownership

(1) Name and address, including telephone number, of legal owner or agent of property.

(2) If appropriate the name and address, including telephone number, of the professional person responsible for the plan design.

(3) Citation of any existing legal rights-of-way or easements affecting the property.

(4) Reference to existing covenants on the property.

(5) Name and address, including telephone number of person occupying mobile home.

B. Description - The following shall be shown:

Location of property by tax map and parcel identification number; the Warranty Deed Book number and page on which the property is currently recorded; the plat book and page on which the property is recorded.

C. Features

The plan shall show the following information:

(1) General location map showing the relationship of the property to the surrounding area.

(2) Graphic scale, date, approximate North Arrow, legend.

(3) The location of property with respect to surrounding property and streets, the names of adjacent property owners and streets.

(4) Zoning classification of surrounding property and property of concern.

(5) Approximate acerage of property of concern.

(6) The approximate location of existing roads, easements, water bodies, water courses, buildings, railroads, cemetaries, sewers, water mains, land subject to flood or other pertinent features.

(7) Approximate distance of existing and proposed residential structures from boundary lines of the property and from other structures.

5.2 More than two dwelling units but less than ten mobile homes

Anytime more than two dwelling units but less than ten mobile homes are proposed to be situated on one parcel of land the following information shall be submitted to the enforcement officer and approved by the Planning Board prior to the placement of the mobile homes on the parcel. The information shown on the plan shall be to a convenient scale of not more than two hundred (200) feet to an inch. The plan is not required to be drawn by a registered surveyor or engineer.

A. Ownership

(1) Name and address, including telephone number, of legal owner or agent of property.

(2) If appropriate, the name and address, including telephone number, of the professional person responsible for the plan design.

(3) Citation of any existing legal rights-of-way or easements affecting the property.

(4) Reference to existing covenants on the property.

(5) Name and address, including telephone number of person occupying mobile home.

B. Descriptions.- The following shall be shown:

Location of property by tax map and parcel identification number; the Warranty Deed Book number and page on which the property is currently recorded; the plat book and page on which the property is recorded.

C. Features

The plan shall show or note the same information required in 5.1 C plus the following:

(1) Name of the mobile home park. The proposed name shall not duplicate the name of any existing mobile home parks or subdivisions.

(2) The approximate location of all boundary lines of the property.

(3) The approximate location and dimensions of all proposed or existing lots. Lots shall be consecutively numbered.

(4) The location and width of all existing and proposed street rights-of-way, easements and building setback lines.

5.3 Ten Mobile Homes or More

Anytime ten or more mobile homes are proposed to be situated on one parcel the following information shall be submitted to the enforcement officer and approved by the Planning Board and the Board of Commissioners prior to the placement of mobile homes on the parcel. This information shall be required if the original number of mobile homes proposed in a park is ten or more, or if additional mobile homes are proposed to be added to one of the categories previously listed which would bring the total number of mobile homes planned to ten or more. Plans for this category of mobile home parks shall be prepared by a currently licensed registered surveyor or engineer. The information shown on the plan shall be to a convenient scale of not more than two hundred (200) feet to an inch on sheets having an outside marginal size on not nore than twenty-one (21) inches by thirty (30) inches.

A. Ownership

(1) Name and address, including telephone number of legal owner or agent of property.

(2) If appropriate, the name and address, including telephone number, of the professional person responsible for the plan design.

(3) Citation of any existing legal rights-of-way or easements affecting the property.

(4) Reference to existing covenants on the property.

(5) Name and address, including telephone number of person occupying mobile home.

B. Description - The following shall be shown:

Location of property by tax map and parcel identification number; the Warranty Deed Book number and page on which the property is currently recorded; the plat book and page on which the property is recorded.

C. Features

The plan shall show or note the same information required in 5.1 C plus the following:

(1) Name of the mobile home park. The proposed name shall not duplicate the name of any existing mobile home parks or subdivisions.

(2) The approximate location of all boundary lines of the property.

(3) The approximate location and dimensions of all proposed or existing lots. Lots shall be consecutively numbered.

(4) The location and width of all existing and proposed street rights-of-way, easements and building setback lines.

5.4 Other Information Required

A. A topographic map with contours at vertical intervals of not more than five (5) feet, at the same scale as the plan, is required for all mobile home parks with new roads and/or ten or more lots, unless not deemed necessary by the staff.

B. Percolation Tests

Percolation tests shall be performed for all mobile home parks unless a central sewerage disposal system is proposed. Tests may be performed by the Health Department or persons approved by the Health Department to perform such tests.

C. Drainage Plan and Erosion Plan

A drainage plan shall be submitted for all mobile home parks with new roads proposed. An erosion control plan which provides information as specified in the regulations of the Land Quality Section of the North Carolina Department of Natural Resources and Community Development (see Appendix) shall be submitted to said agency for all parks where an acre or more of land is disturbed.

D. Utility Plans

Plans of proposed utility layouts for sewer and water where applicable, showing feasible connections to the existing utility system, or any proposed utility system.

SECTION 6. GENERAL REQUIREMENTS AND MINIMUM STANDARDS FOR IMPROVEMENTS, RESERVATIONS AND DESIGN

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SECTION 6. GENERAL REQUIREMENTS AND MINIMUM STANDARDS FOR IMPROVEMENTS, RESERVATIONS, AND DESIGN

6.1 Suitability of the Land

A. Land Physically Unsuitable for Mobile Homes

Land which the Planning Board has found to be unsuitable for mobile homes:

(1) Because of flooding, bad drainage, steep slopes, rock formations, and other such features which may endanger health, life, or property, aggravate erosion, or increase flood hazard, or

(2) Which other public agencies concerned have investigated and found in the best interest of the public not suitable for the type of use proposed,

may not be approved for mobile homes unless adequate methods are formulated by the developer for meeting the problems created by such land use. Such land within a mobile home park shall be set aside for such uses as shall not produce unsatisfactory living conditions.

B. Land Subject to Flood

Land within any floodway shall not be used for a mobile home park and shall not be raised by fill. Other land subject to flood may be used for a park only if filled to such height as will secure a flood-free site based on data submitted by the owner and prepared by competent engineers, provided such use or fill does not endanger health, life, or property or restrict the flow of water or increase flood heights. To prevent such hazards, fill material should be taken from between the stream bank and the area to be filled. In applying these provisions, land subject to flood shall be defined as follows:

(1) Land lying within the special Flood Hazard Area as indicated on the "Flood Hazard Boundary Map Chatham County North Carolina Unincorporated Areas" May 19, 1978 prepared by the U. S. Department of Housing and Urban Development. These maps are available for review at the Chatham County Planning Department.

(2) Areas included in the Floodway shall be considered those shown on the Floodway map for unincorporated areas of Chatham County, North Carolina prepared by the U. S. Department of Housing and Urban Development. The areas shown in the floodway shall not be included when calculating the lot area.

C. Water Hazard Areas

To help lessen the constant potential of water pollution

from septic fields and to maintain the scenic character of the counties' waterways, the following areas shall be considered within the water hazard area, where neither residential structures or septic systems shall be situated. These areas shall not be included when calculating lot area.

(1) Along Deep River, Cape Fear River, Rocky River, Haw River and New Hope River of B. Everett Jordan Lake the water hazerd area shall extend one hunderd (100) feet landward from the edge of the bank at normal pool level.

(2) The above shall be required unless the subdivider demonstrates that a lesser distance (but not less than fifty (50) feet) is adequate to maintain the scenic character of the waterway and to guard against stream pollution. Evidence may be based on topography, soils, geology, and other pertinent information and shall be prepared by a registered engineer and/or architect, **or other person approved by the Planning Board.**

(3) Along tributaries of the above mentioned rivers and other continuously flowing streams, the water hazard area shall extend fifty (50) feet landward from the edge of the bank.

(4) The above shall be required unless the subdivider demonstrates that a lesser distance (but not less than twenty-five (25) feet) is adequate to maintain the scenic character of the waterway and guard against stream pollution. Evidence may be based on topography, soils, geology, and other pertinent information and shall be prepared by a registered engineer and/or architect, **or other person approved by the Planning Board.**

6.2 Mobile Home Lots

A. Size

The size of mobile home lots shall be based mainly on the availability of water and sewer services. Lots dependent upon individual septic systems and wells shall have a minimum lot size of forty thousand (40,000) square feet. Lots with a public or community water system or sewerage system available shall have a minimum lot size of thirty thousand (30,000) square feet. Lots with a public or community water and sewerage system available shall have a minimum lot size of five thousand (5,000) square feet.

B. Setbacks and Buffer Strips

(1) All mobile homes shall be located at least forty (40) feet from a state right-of-way and at least twenty (20) feet from other park property boundary lines.

(2) There shall be a minimum distance of ten (10) feet between an individual mobile home and adjoining mobile home park streets or common parking area.

(3) Mobile homes shall be separated from each other and from other buildings and structures by at least twenty (20) feet; provided that mobile homes placed end-to-end may have a clearance of fifteen (15) feet where opposing rear walls are staggered.

(4) An accessory structure which has a horizontal area exceeding 25 square feet, is attached to a mobile home or located within 10 feet of its window, and has an opaque top or roof that is higher than the nearest window shall, for purposes of all separation requirements, shall be considered to be part of the mobile home.

(5) All mobile home parks located adjacent to industrial or commercial land uses shall be provided with screening such as fences or natural growth along the property boundary line separating the park and such adjacent nonresidential uses.

C. Parking Spaces

(1) Off-street parking areas shall be provided so as to provide parking at a rate of not less than 1.5 car spaces per lot for every lot.

(2) Required car parking spaces shall be so located as to provide convenient access to the mobile home, but shall not exceed a distance of 200 feet from the mobile home that it is intended to serve.

6.3 Interior Street System

(1) Access - All mobile home parks shall be provided with a network of streets or driveways that will allow safe and convenient vehicular access to an improved public street from each mobile home lot. The intersection of the public street with the entrance way or private access street to the mobile home park shall be designed to facilitate the free movement of traffic on the public street and to minimize the hazards caused by traffic entering or leaving the park development. Signs shall be erected or curb markings painted to indicate that parking is prohibited on the entrance way of the private access road within fifty (50) feet of its intersection with the public street.

(2) Circulation - The street system shall provide convenient circulation by means of minor streets and properly located collector streets. Dead-end streets shall be no longer than one thousand (1,000) feet and their closed end shall have a cul-de-sac or court with a minimum radius of sixty (60) feet.

(3) Road Widths

Road Widths on different type streets shall not be less than the following requirements:
Collector Streets (defined as those which provide access to different sections of a mobile home park, or intersect with a public street)

Type	Width
No Parking	20
Parking one side only	27
Parking both sides	28

Minor Streets (defined as those which provide access to individual mobile home lots)

No Parking	18
Parking one side only	25
Parking both sides	32
One-way no parking	10
One-way parking one side only	17

(4) Grade of Roadway

The maximum grade of the travel way shall be ten (10) percent unless a variance is granted; in such cases the maximum may be increased to but not greater than fifteen (15) percent.

(5) Road Surface

Mobile home parks with fewer than ten mobile home lots shall have a minimum roadway surface of four (4) inches of crush and run stone or material equal in quality, if approved by the Planning Board.

Mobile home parks with ten mobile home lots or more shall have paved roadways. The base material shall be a minimum of four (4) inches of crush and run stone or an equivalent, and the surface shall be a minimum of one and a half (1½) inches of asphalt.

Roadway material shall be placed on a properly graded and drained subgrade.

6.4 Recreation Areas or Common Areas

(1) In all parks designed to accomodate ten (10) or more mobile homes there shall be one or more common recreation areas which shall be easily accessable to all park residents.

(2) The size of the recreation areas shall be based upon a minimum of three hundred (300) square feet for each lot. No recreation area shall contain less than three thousand (3,000) square feet.

(3) Recreation areas shall be so located as to be free of traffic hazards and should, where the topography permits, be centrally located.

6.5 Non-residential Uses

No part of any park may be used for non-residential purposes, except uses that are required for the direct servicing and well being of park residents, such as recreational facilities and laundry facilities for the sole use of the park residents, and for the management and maintenance of the park. This section shall not prohibit the sale of a mobile home located on a mobile home lot and connected to sewer and water lines.

SECTION 7. DEVELOPMENT PREREQUISITE TO PLAN APPROVAL

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SECTION 7. DEVELOPMENT PREREQUISITE TO PLAN APPROVAL

A perfectly prepared mobile home park plan means little to a prospective lot user until he can see raw acreage physically transformed into lots suitable for mobile homes and human habitation. Improvements by the owner spares the community from a potential tax liability. The following tangible improvements are required before plan approval in order to assure the physical reality of a mobile home park.

7.1 Required Improvements

Every owner shall be required to grade and improve streets, install monuments, sanitary sewers, storm drainage, water mains, and other utilities, and make other site improvements in accordance with the following specifications.

A. Monuments and Lot Markers

Iron pins not less than three-fourths (3/4) inches in diameter and eighteen (18) inches long shall be set at all street corners, at points where the street lines intersect the exterior boundaries of the mobile home park, and at all corners of the mobile home park. These pins shall be driven so as to be snug in the ground and shall not have over six inches exposed above the finished grade. The location of these pins shall be identified with wooden stakes or other suitable markers at the time the plan is submitted for approval so all the necessary inspections may be made by the various agencies involved in the review of the plan. In mobile home parks dependent on wells and/or septic systems, wooden stakes shall be installed at the approximate location of all lot corners.

B. Street Development

Every owner shall be required to grade and improve new streets. Private street improvements shall meet the design and construction standards specified in these regulations.

C. Storm Drainage

An adequate drainage system, including necessary open ditches, pipes, culverts, intersectional drains, drop inlets, bridges, etc., shall be provided for the proper drainage of all surface water. Banks of ditches shall be immediately seeded upon grading and installation of utilities and the ditch itself shall be improved with appropriate vegetative cover to retard erosion.

D. Soil and Ground Cover Requirements

Exposed ground surfaces in all parts of every mobile home park shall be paved, or covered with stone screenings,

or other solid material, or protected with a vegetative growth that is capable of preventing soil erosion and of eliminating objectionable dust.

E. Sanitary Sewers

When located within the service area of a public sewerage system and within the distance of an existing line as specified in the formula below, sanitary sewers shall be installed in such a manner as to serve adequately all lots with connection to the public system. The distance from an existing sewer line shall be based on the formula below.

NUMBER OF LOTS+		DISTANCE TO EXISTING LINE
At least....	But Less Than	
1	5	50' + 50' for each lot over 1
5	20	250' + 75' for each lot over 5
20	50	1,375' + 100' for each lot over 20
50		4,375' + 125' for each lot over 50

+ Consideration shall be given to the acreage of on entire tract and the number of potential lots therein, taking into account topography, feasibility of the land for further mobile home development and other factors.

Sewer lines shall be installed according to the standards and regulations of the Chatham County Health Department and/or the public utility agency.

Where in the opinion of the Planning Board and the utility agency, lots cannot be economically connected with a sewerage system they must contain adequate area (based on soil survey, percolation tests, source of water supply, etc.) for the installation of approved septic tanks and disposal fields, and must be approved in writing by the County Health Department.

F. Water Supply System

When located within the service area of a public water supply system and within the distance of an existing line as specified in the formula below, water mains shall be properly connected in such a manner as to adequately serve all lots shown on the mobile home park plan for both domestic use and fire protection. The distance from an existing water line shall be based on the formula below.

NUMBER OF LOTS+		DISTANCE TO EXISTING LINE
At Least....	But Less Than	
1	5	50' + 50' for each lot over 1
5	20	250' + 75' for each lot over 5
20	50	1,375' + 100' for each lot over 20
50		4,375' + 125' for each lot over 50

+ Consideration shall be given to the acreage of an entire tract and the number of potential lots therein, taking into account topography, feasibility of the land for further mobile home development, and other factors.

The lines shall conform with accepted standards of good practice for water systems, as specified in the regulations of the Department of Human Resources, Division of Health Services, or as specifide in the local government water system extension policy.

Where, in the opinion of the Planning Board and utility agency, lots cannot be economically connected with a water system they must contain adequate area based on information concerning the soil survey, water table, type of sewage disposal, etc.) for the installation of private water supply systems, and must be approved in writing by the County Health Department.

In mobile home parks with ten (10) or more lots and with new roads where an adequate public water supply system is available, the owner shall install fire hydrants in such a manner that the park is afforded adequate fire protection or as provided in the local government water system extension policy. Fire hydrants locations shall be located in such a manner that no lot is further than one thousand (1,000) feet from a hydrant. Water lines on which fire hydrants are to be installed shall not be less than six (6) inches in diameter. There shall be no closed or dead end lines servicing the fire hydrant locations in the park, unless an alternate method is approved.

When located outside the service area of a public water supply system and/or outside the distance of an existing line as specified in the above formula; lot sizes may be allowed to be reduced provided water is available for domestic use in the community water system to be installed by the owner.

An adequate water supply for domestic use shall be one which is capable of providing three hundred (300) gallons of water per day for each and every lot in the mobile home park.

G. Street Lights

All mobile home parks shall have adequate street lights installed. The minimum size street light shall be a 175 watt mercury-vapor (approximately 7,000 lumen class) or its equivalent, spaced at intervals, not more than five hundred (500) feet apart, along the park's internal streets.

H. Installation of Utilities

All utility services shall be so designed and installed as to conform with all appropriate state, local and

utility agency requirements. Underground electric and telephone lines are encouraged and may be required in mobile home parks where lot densities and soil conditions exist to make the installation of such facilities economically feasible in the opinion of the Planning Board.

I. Existing Mobile Home Parks.

Mobile home parks existing at the time this ordinance is passed shall meet the following requirements within one (1) year.

Section 6.2 C Parking Spaces
Section 7.1 C Storm Drainage
Section 7.1 D Soil and Ground Cover Requirements
Section 7.1 G Street Lights
Section 8 Responsibilities and Duties of Park Owners

Any proposed additions to existing mobile home parks shall be required to meet all the procedures and requirements of this ordinance.

J. Guarantee in Lieu of Completed Improvements
No mobile home park plan shall be approved by the Planning Board until one of the following conditions has been met:

1. All required improvements have been constructed in a satisfactory manner and approved by the Planning Board, or

2. The Planning Board and/or any of the certifying agencies have accepted an assurance for completion and maintenance of improvements as established in Section 3 of these regulations, whereby improvements may be made and utilities installed without cost to public bodies in the event of default of the owner. This also assures the prospective mobile home park dweller that improvements shall be installed as stated on the plan.

SECTION 8. RESPONSIBILITIES AND DUTIES OF PARK OPERATORS

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SECTION 8. RESPONSIBILITIES AND DUTIES OF PARK OPERATORS

8.1 Responsibilities and Duties

A. Supervision

Mobile home park operators shall be required to provide adequate supervision to maintain the park in compliance with the requirements of the Ordinance and to keep all the park-owned facilities, improvements, equipment, and all the common areas clean and in good repair.

B. Mobile Home Placement and Anchoring

Operators shall be required to supervise the placement of all mobile homes to guarantee that they are properly anchored and attached to utilities. The owner of the mobile home park shall see that all mobile homes shall be securely anchored to the ground by means of a tie down system. When the mobile home is factory-equipped with a tie down system designed by a registered architect or engineer, then the owner is to use the manufacturer's set of instructions as the standards of proper tie down procedures. If no such set of instructions is available or if the system has not been designed by a licensed architect or engineer, then the Enforcement Officer is to enforce standards listed in the "State of North Carolina Regulations for Mobile Homes" booklets published by the North Carolina Department of Insurance. A mobile home shall not be provided electrical connections until it is properly anchored and a permit is granted by the Enforcement Officer or other authorized personnel.

C. Mobile Home Ownership

Operators shall be required to comply with G. S. 105-316 (a)(1), which requires that each year each operator of a park renting lots for five (5) or more mobile homes furnish the County Tax Supervisor with the name of the owner of, and a description of each mobile home located in the park.

D. Solid Waste Collection

The park operator will operate or provide for the operation of a solid waste disposal system, including providing park tenants with appropriate containers, if requested.

E. Disease Notification
The park owner or operator shall notify the Health Department immediately of any suspected communicable or contagious disease within the park.